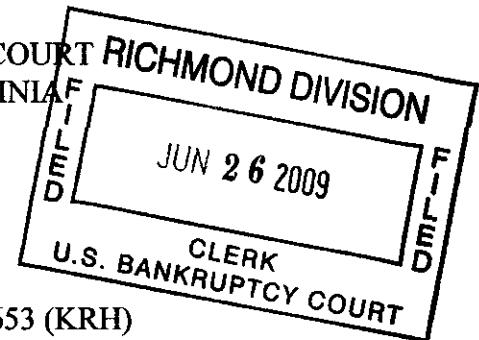


IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION



**IN RE:**

CIRCUIT CITY STORES, INC., et al., ) Chapter 11

Debtors. ) Case No. 08-35653 (KRH)

) Jointly Administered

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**RESPONSE OF RICK SHARP TO TWELFTH OMNIBUS OBJECTION TO  
QUALIFIED PENSION PLAN CLAIMS AND 401(K) CLAIMS**

COMES NOW, Rick Sharp of 1008 Wedgeland Drive, Raleigh, NC 27615 and in response to that certain *Debtor's Twelfth Omnibus Objection to Qualified Pension Plan Claims and 401(k) Claims* dated June 4, 2009, being first duly sworn deposes and states as follows:

1. I am a previous employee of Circuit City Stores, Inc. and during my employment became vested in the qualified employee pension plan.
2. I filed a Proof Claim on or about January 30, 2009 relative to my benefits under the qualified employee pension plan.
3. I am informed and believe that I have a vested benefit in and from the Retirement Plan of Circuit City Stores, Inc.
4. I am informed and believe that the Pension Benefit Guaranty Corporation assumed responsibility for the qualified pension plan on or about May 26, 2009.
5. It is my intent to preserve and maintain any and all rights in and to my vested pension benefits.

I hereby request that any Order issued by the Court in this matter sustaining the Debtor's Twelfth Omnibus Objection to Certain Qualified Pension Plan Claims and 401(k) Claims clearly reflect that

- (1) The qualified pension plan assets and the 401(k) plan assets are held by trust funds which are separate legal entities distinct from the Debtors;
- (2) The qualified pension plan assets and the 401(k) plan assets are not part of the Debtors' estates; and
- (3) A disallowance of the Qualified Pension Plan Claim of Rick Sharp in this Bankruptcy Proceeding is not intended, and shall not be deemed, a release, modification, or waiver of said Claimant's rights in and to his vested benefits under the Retirement Plan of Circuit City Stores, Inc.; and a disallowance shall in no way affect the rights of the Claimant in and to said benefits.

Respectfully submitted this 23 day of June, 2009

  
Rick Sharp

Sworn to and Subscribed before me  
This the 23<sup>rd</sup> day of June, 2009

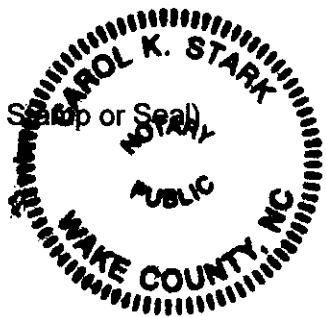
Carol K. Stark

Notary Public

Name: Carol K. Stark

My Commission Expires: December 26, 2012

(Official Stamp or Seal)



### CERTIFICATE OF SERVICE

I, Carol K. Stark, certify:

I am, and at all times herein mentioned was, more than eighteen (18) years of age, and not a party to this action;

On this the 23<sup>rd</sup> day of June, 2009, true and correct copies of the *RESPONSE OF RICK SHARP TO TWELFTH OMNIBUS OBJECTION TO QUALIFIED PENSION PLAN CLAIMS AND 401(K) CLAIMS* was properly served by depositing same in an official depository under the exclusive care and custody of the United States Postal Service in Raleigh, North Carolina, priority mail postage prepaid, in envelopes properly addressed as follows:

SKADDEN, ARPS, SLATE, MEACHER & FLOM, LLP One Rodney Square, P. O. Box 636 Wilmington, DE 19899-0636 Attn: Gregg M. Galardi Attn: Ian S. Fredericks	MCGUIREWOODS LLP One James Center 901 E. Cary Street Richmond, VA 23219 Attn: Dion W. Hayes Attn: Douglas M. Foley
SKADDEN, ARPS, SLATE, MEACHER & FLOM, LLP 333 West Wacker Drive Chicago, IL 60606 Attn: Chris L. Dickerson	Clerk of the Bankruptcy Court United States Bankruptcy Court 701 East Broad Street – Room 4000 Richmond, VA 23219

I certify under penalty of perjury that the foregoing is true and correct.

Executed this the 24<sup>th</sup> day of June, 2009.

Carol K. Stark  
Name: Carol K. Stark